

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
v.  
  
ROBERT T. WORTHLEY,  
  
Defendant.

Case No. 6:25-po-00107-HBK-1  
  
ORDER DENYING DEFENDANT'S  
REQUEST FOR REMOTE APPEARANCE  
  
(Doc. No. 10)

Pending before the Court is Defendant's request for a remote appearance emailed to the Court on May 7, 2025. (Doc. No. 10). Defendant seek to appear remotely for his initial appearance scheduled for May 13, 2025 at 1:00 p.m. on his two mandatory violation notices.

On September 8, 2024, Defendant was issued two mandatory citations: Violation No. E2138155, for allegedly violating 36 CFR §2.34(a)(1), disorderly conduct, fighting, threatening or violent behavior, and Violation No. E2138156, for allegedly violating 36 CFR §2.35(c), under the influence of alcohol or a controlled substance within the park. (Doc. Nos. 1, 3). Defendant previously requested and was granted two continuances for his initial appearance and arraignment. Specifically, on February 27, 2025 the Court continued defendant's initial appearance scheduled for March 4, 2025 to April 1, 2025 due to defendant claiming he received notice of court date late and had a conflict with work schedule. (Doc. No. 6). Again, on March 31, 2025, the Court continued defendant's initial appearance from April 1, 2025 to May 13, 2025

1 due to Plaintiff's illness (Doc. No. 8). Thus, defendant has known since March 31, 2025 that he  
2 was required to appear before this Court on May 13, 2025.

3 On a defendant's consent, video conferencing may be used to conduct initial appearances,  
4 arraignments, pleas, trials and sentencing for misdemeanor offenses. Fed. R. Crim. P. 10(c);  
5 43(b)(2).<sup>1</sup> This Court, within its discretion, has a preference to forego the use of video  
6 teleconferences for criminal proceedings because criminal proceedings require a certain  
7 solemnity, and the physical presence of all parties contributes to the fairness, integrity, and public  
8 function of the proceeding. *United States v. Ramos-Gonzales*, 857 F.3d 727, 732 n. 6 (5th Cir.  
9 2017). And due to its location, this Court regularly experiences technological issues with remote  
10 appearances. ***Further, to the extent the Court finds sufficient circumstances to warrant a***  
11 ***remote appearance, the Court generally requires the defendant to appear remotely for an initial***  
12 ***appearance from the closest federal court, not from a defendant's home, place of business, or***  
13 ***elsewhere.*** Here, defendant provides no reason why a video request is necessary (*See* Doc. No.  
14 10 stating only he is requesting a video appearance without any further explanation).

15 Accordingly, it is **ORDERED**:

16 Defendant's request to appear via video conference for his May 13, 2025 continued initial  
17 appearance (Doc. No. 10) is DENIED.

18  
19 Dated: May 12, 2025

  
HELENA M. BARCH-KUCHTA  
UNITED STATES MAGISTRATE JUDGE

20  
21  
22  
23  
24  
25  
26  
27  
28 <sup>1</sup> General Order No. 662, which authorized the use of videoconference technology in certain criminal proceedings  
under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, has expired.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28